

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**LARRY G. PHILPOT,**

**Plaintiff,**

**v.**

**WOS, INC.,**

**Defendant**

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**CASE NO.: 1:18-cv-339-RP**

**RULE 68 OFFER OF JUDGMENT**

Pursuant to Fed. R. Civ. P. 68, Defendant WOS, Inc. hereby offers to allow entry of judgment to be taken in Plaintiff Larry G. Philpot's favor and against Defendant, for the total sum of FORTY THOUSAND DOLLARS (\$40,000.00), which includes all amounts recoverable for damages, taxable costs, and attorney's fees. \$40,000.00 is the total amount Defendant will pay Plaintiff in this action, including all costs of suit and any attorneys' fees otherwise recoverable by Plaintiff.

Pursuant to Rule 68(d), if Plaintiff does not accept this offer, he may become obligated to pay Defendant's costs after the making of this offer if Plaintiff does not recover a judgment that is more favorable than this \$40,000.00 offer of judgment.

To accept this offer, Plaintiff must serve Defendants with a written notice of acceptance within fourteen (14) days of the date this offer is made and served on Plaintiff.

This offer is not and should not be construed as an admission of any liability by Defendant. It is being made solely for the purposes of compromising on a disputed claim.

Dated: April 9, 2019

/s/ JT Morris  
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Counsel for Defendant WOS, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was served on April 9, 2019 by electronic mail as follows:

Kenton Hutcherson  
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/s/ JT Morris  
JT Morris